IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 314 of 2005

Between:

Syed Omer, S/o.Syed Hussain
E.No.44350 R/o.22-3-554,
Zaheernagar, Miralam Mandi, Hyderabad.

..... PETITIONER

AND

1 The A.P.State Road Transport Corporation,

rep., by its Vice Chairman and

Managing Director, Musheerabad, Hyderabad.
2 The Director (Vigilance and Security),

APSRTC Hyderabad Zone,

Hyderabad.
3 The Assistant Director, (Vigilance and Security)

APSRTC, Hyderabad Zone,

JBS, Picket, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 3rd respondent in issuing the proceedings No.P2/255(4)/04-V and SO (HZ), Dt.29.12.2004 in not promoting the petitioner as Security Head Guard is illegal, arbitrary and unjust and consequently set aside the proceedings No.P2/255(4)/04-V&SO (HZ) Dt.29.12.2004.

Counsel for the Petitioner: Mr. G.RAVI MOHAN

Counsel for the Respondents: Mr.V.T.M.PRASAD

The Court at the admission stage made the following :

ORDER:

This Writ Petition is filed questioning the proceedings No.P2/255(4)/04-V&SO (HZ), dated 29-12-2004 issued by the 3rd respondent in not promoting the petitioner as Security Head Guard.

2. Learned counsel for the petitioner contended that the promotion for the post of Security Head Guard is by way of seniority and as per the seniority list published by the respondent, the petitioner is the senior-most person in the category and therefore, he is liable for promotion as Security Head Guard. On the other hand, learned counsel for the respondents contended that as per the regulations promotion for the post of Security Head Guard is to be considered by the respondents. Whether the promotion to the post of Security Head Guard is by way of seniority and whether the petitioner is a senior-most person in the category are the matters required to be decided by the respondents in accordance with rules and regulations of the Corporation. Therefore, without going into the merits of the case, this Writ Petition is disposed of with a direction to the respondents to consider the case of the petitioner in accordance with the rules and regulations of the Corporation within two months from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU,J)

25th January, 2005.

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To

1 The Vice-Chairman and Managing Director,

A.P.State Road Transport Corporation,

Musheerabad, Hyderabad.

2 The Director (Vigilance and Security),

APSRTC Hyderabad Zone,

Hyderabad.

3 The Assistant Director, (Vigilance and Security)

APSRTC, Hyderabad Zone,

JBS, Picket, Secunderabad.

4 Two CD copies.